

Application Serial No. 09/885,795

**BEST AVAILABLE COPY****REMARKS**

In the May 19, 2001 Office Action, claims 1-24 stand rejected and claims 6-24 are objected to. Applicants respectfully request that rejections to claim 1-24 and the objections to claims 6-24 be reconsidered.

**Drawings**

The drawings were objected to as failing to comply with 37 CFR § 1.84(p)(5). Corrected drawing sheets are submitted in compliance with 37 CFR § 1.121(d).

With regard to Figure 1, the main and A/V modules have been drawn as being distinct from one another. Furthermore, reference number 21 has been amended to indicate the grouping of the A/V module and main module.

With regard to Figure 2, the reference numbers for the A/V module and main module have been corrected.

With regard to Figure 4, reference number 26 has been revised to indicate the grouping of all the keys in the numeric keypad. Furthermore, the arrow button references have been removed and the reference number indicators have been corrected.

The Examiner indicated that reference number 30 indicates a mute button; however, Applicant submits that reference number 30 properly indicates the menu button.

With regard to Figure 10a, reference number 1008 has been revised to indicate the grouping of all the keys in the numeric keypad. Furthermore, the arrow button references have been removed and the reference number indicators have been corrected. Lastly, reference number 1010 has been removed as it is not utilized in the specification.

Accordingly, Applicants submit the drawings comply with 37 CFR § 1.121(d) and respectfully request withdrawal of these objections.

**Specification**

The Examiner has stated the title of the invention is not descriptive. Applicant has amended the title to "Information Retrieval System for Displaying Additional Information with Audio-Visual Images" which is indicative of the invention to which the claims are directed. Furthermore, paragraphs [0036], [0039], and [0050] have been replaced with the appropriate corrections. Accordingly, Applicant respectfully requests withdrawal of these objections.

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**BEST AVAILABLE COPY****Claim Objections**

Claims 6-24 stand objected to for various cited informalities. Applicant has made the appropriate corrections and respectfully requests that these objections be withdrawn.

**Claim Rejections—35 USC § 102**

Claims 1-13, 17-23 stand rejected under 35 USC § 102(e) as being anticipated by Kikinis (US 5,929,849). Applicant notes the various discussions of the rejection. Applicant respectfully disagrees.

Kikinis does not teach each and every element of the claimed invention. Kikinis specifically teaches displaying web pages based on a dynamic URL that is pre-encoded in the audio-visual data stream before the data stream enters the audio-visual unit. As indicated in Fig. 3A, inter-frame data is stripped from the inter-frame regions of the data stream. This inter-frame data includes the URL that is used for later web page access upon user input. Upon selection, the URL is presented on the Internet and the associated web page is displayed. Similarly, in another embodiment, Fig. 3B depicts steps for preparing a TV transmission with an encoded dynamic URL so that the URL is available to the unit.

As a result of Kikinis' method, once the dynamic URL is encoded into the data stream and sent to the display unit, the location or type of request to the Internet cannot be modified unless the incoming audio-visual inter-frame data is changed. For example, a company desiring to advertise on a DVD using the method taught by Kikinis may encode their website URL into the DVD's audio-visual stream so that a user may retrieve its web page. However, if the company's URL changes for any reason, such as a merger, change of name or the like, the URL must be changed on the DVD to route the request to the new entity. Kikinis' method requires the DVD to be physically changed before the request can be properly routed.

On the contrary, Applicant recites in claim 1 an information retrieval system comprising "a CPU which upon command creates an information request based on a unique code for access to a database and an A/V connection which provides a connection to the internet for receiving information associated with said information request." This code relates to objects in the audio-visual stream. A first request to the database returns information links based on the codes and scene content. These information links may contain a variety of information, only one of which may be a URL. As such, a URL may initially be created only to the extent that it is needed to form a suitable information request to an external source (i.e., a www.adquery.com database),

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but it is not retrieving web pages based on this first request. Selection of any of the information links returns information that may be a web page, or it may contain any other non-web page related information suited to the selected content. By utilizing this dual request, modification of the incoming audio-visual stream is not needed. The unique code is the relational device used to keep the information returned to the user current. As a result of the claimed invention, and unlike Kikinis, the need for modifying the incoming audio-visual signal, or device with the signal, e.g., a DVD, in order to provide current information links is obviated. Accordingly, Applicant requests that the § 102 rejection be withdrawn for claim 1 and claims 2-16 which depend therefrom.

With regard to claim 17, as noted above, Kikinis does not teach each and every element of the claimed invention. Kikinis teaches presenting a dynamic URL that is specifically and directly encoded in the incoming audio-visual signal. This dynamic URL relates to a web page associated with an enhanced entity. The unit does not generate the URL, but merely strips the URL information from the incoming audio-visual stream and passes it on for further processing. In order to change the encoded dynamic URL, the incoming audio-visual signal must be modified.

In contrast, Applicant recites displaying audio-visual information received from an external database and at least one audio-visual source and "generating and sending an information request to an external database associated with said selected item" and "receiving information from said external database for said information request of said displayed item from said audio-visual signal," as recited in claim 17. If underlying information about a particular selectable item changes (e.g., product or service information or web site address), the modification is handled by an external database. As such, no subsequent modification of the incoming audio-visual signal is needed. Accordingly, Applicant requests that the § 102 rejection is withdrawn for claim 17, and claims 18-23 which depend therefrom.

**Claim Rejections—35 USC § 103**

Claims 14-16 stand rejected under 35 USC § 103 as being unpatentable over Kikinis (US 5,929,849) in view of Kelly et al (US 5,907,322). Applicant notes the various discussions of the rejection. Applicant respectfully disagrees.

Referring to claim 14, not only does Kikinis not disclose a CPU which creates an information request, Kelly fails to disclose providing an interface generator that provides a

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listing of program and time information, as recited in the claims. Nowhere does Kikinis suggest that its set-top box can display information based on anything but a pre-encoded URL as disclosed. Moreover, the process noted by the Examiner in Kelly discloses a method where a user creates a customized viewing schedule. This schedule is downloaded to the device (not displayed) in order to instruct the CPU to automatically change channels based on the custom schedule. Nowhere does Kelly suggest that coding in the incoming audio-visual stream could be used with this customized program scheduling method.

Furthermore, the references alone or in combination do not disclose a controller that comprises "a recorder for storing user-selected information" as recited in claim 15. First, Kikinis discloses an infra-red communicating remote adapted for conventional remote functions and cursor and selection controls. Nowhere does Kikinis suggest the benefit of a controller comprising a recorder. Second, Kelly discloses a conventional remote control that simply issues commands to the personal computing device (i.e., the remote does not store anything). As such, neither reference suggests a controller further comprising a recorder for storing user-selected information.

Moreover, as noted above, not only does Kikinis not disclose that its set-top box can display information based on anything but a pre-encoded URL, Kelly does not disclose "display of a reminder mark" as recited in claim 16. Kikinis discloses that a URL may be displayed on a screen for a viewer to copy or remember, or possibly be downloaded to memory. This teaches away from "a mark button for use by the user in commanding said interface generator to display a reminder mark" as recited in the claims. Kelly fails to provide these missing elements. Kelly discloses utilizing a bookmark to store an AR entry in the device. Nowhere does Kelly suggest an interface generator that displays a reminder mark.

Accordingly, Applicant requests reconsideration and withdrawal of these § 103 rejections for claims 14-16.

Claim 24 stands rejected under 35 USC § 103(a) as being unpatentable over Kikinis (US 5,929,849) in view of Yagawa et al (US 6,857,131). The Examiner states it would have been obvious to Kikinis to include a method for inquiring of a user for user information such as taught by Yagawa in order to provide customized or targeted information to a user. Applicant disagrees.

There is no suggestion in either Kikinis or Yagawa to combine the references to form the claimed invention. On the contrary, Kikinis teaches away from combination with Yagawa due to

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the use of pre-encoded URLs in its audio-visual stream to produce web pages. Yagawa teaches dynamically displaying audio-visual content based on stored user information. Nowhere in Kikinis is dynamically displaying audio-visual content disclosed. In order to combine Kikinis with Yagawa, Kikinis would need to be modified in such a manner as to change the principle of operation of Kikinis. As such, the combination of these references is not sufficient to render the claims prima facie obvious. Accordingly, Applicants respectfully request withdrawal of this rejection for claim 24.

### CONCLUSION

In view of the above remarks, Applicant respectfully submits that the currently pending claims 1-24 (2 independent claims, 24 total claims) properly set forth that which Applicant regards as his invention and is allowable over the cited prior art.

Accordingly, Applicant respectfully requests reconsideration and allowance of all pending claims. The Examiner is invited to telephone the undersigned at (602) 382-6367 at the Examiner's convenience, if that would help further prosecution of the subject Application. Applicant authorizes and respectfully requests that any fees due be charged to Deposit Account No. 19-2814. This statement does NOT authorize charge of the issue fee.

Respectfully submitted,

Date:



By:

November 21, 2005

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